



## **HAWAII DISABILITY RIGHTS CENTER**

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The Hawaii Disability Rights Center has received numerous calls and emails about a reduction in services by the Developmental Disabilities Division ("DD"). We are presently communicating our concerns to DD, who have denied that they are making widespread cuts in services.

If you have received written notice of any reductions (the "action"), please send it to us to present to DD. In the meantime, we would suggest you follow these steps:

1. Exceptions Process. This is where you can request that a DD "Clinical Team" review the action and parents and guardians can submit any additional information.
2. Informal Appeal. If the reductions in services are still taken, file for an Informal Appeal. This is where you can sit down face-to-face with DD staff to get a better explanation and also argue why the cuts should not take place. This is where a HDRC Advocate can be most useful and what we would likely do if we did open a case.
3. Formal Appeal and Hearing. If you lose at the informal level, the next step is the Formal Hearing before an administrative law judge. A lawyer is typically required. Parents and guardians can represent themselves, although it is a formal process with exhibits and objections, etc. It can take a long time (3-6 months) to get the hearing decision in writing. Due to limited resources, HDRC cannot promise to provide you with a lawyer.

The good news is that under basic due process rights, DD cannot reduce or alter the services while your case is being appealed. Our advice is always to file the appeal and fight it and at least buy time while it is being worked through.

We will continue to investigate, collect information, and fight for the DD community.



**HAWAII'S PROTECTION AND ADVOCACY SYSTEM FOR PEOPLE WITH DISABILITIES**  
**HAWAII'S CLIENT ASSISTANCE PROGRAM**